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RESOLUTION NO. 09-82

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT WITH MIAMI-DADE COUNTY AND AMB I-75, LLC, A DELAWARE LIMITED LIABILITY CORPORATION, FOR THE TEMPORARY RELEASE OF A PORTION OF MIAMI-DADE COUNTY WATER AND SEWER DEPARTMENT'S WATER AND SEWER SERVICE AREAS, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1".

WHEREAS, AMB I-75, LLC, a developer of industrial and commercial properties, owns property within the water and sewer service area of Miami-Dade County located west of the I-75 Extension, north of NW 170 Street and southeast of the Florida Turnpike Extension; and

WHEREAS, AMB I-75, LLC requested a temporary release of the County water and sewer service area so that the Company can be connected to the City's water and sewer service by December 2009 or as soon as practical thereafter through the County water and sewer facilities connecting to the City facilities at NW 97 Avenue and NW 170 Street; and

WHEREAS, pursuant to the contract, AMB I-75, LLC agrees to extend, at its own cost and expense, the existing City-owned 16-inch water main north along NW 97 Avenue, from NW 154 Street to the north side of NW 170 Street, and to extend two water mains (one 16-inch water main to be conveyed to the City) east along NW 170 Street to the eastern property line of AMB's property; and

WHEREAS, pursuant to the contract, AMB I-75, LLC agrees to extend the existing City-owned 24-inch sewer force main north along NW 97 Avenue from NW 154 Street to the north side of NW 170 Street; and

WHEREAS, the City of Hialeah finds that it is in the best interest of the health, safety and welfare of the community to provide water and sewer service to AMB I-75, LLC temporarily until Miami-Dade County installs water and sanitary sewer infrastructure with sufficient capacity to fully supply water and sewer service to the AMB

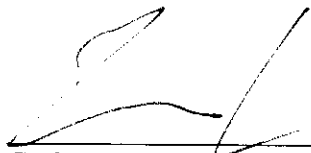
property in exchange for the substantial water and sewer infrastructure improvements to the City system that are being paid for by the Company.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a contract with Miami-Dade County and AMB I-75, LLC, a Delaware limited liability corporation, for the temporary release of a portion of Miami-Dade County Water and Sewer Department's water and sewer service areas, a copy of which is attached hereto and made a part hereof as Exhibit "1".


PASSED AND ADOPTED this 9th day of June, 2009.



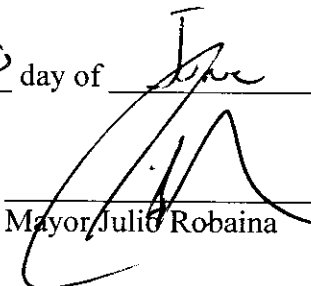
Carlos Hernandez
Council President

Attest:

Approved on this 10 day of June, 2009.

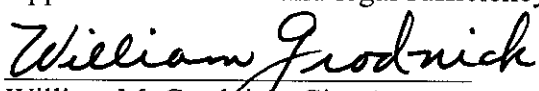


Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney